

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**FILED**

OCT 19 2007

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

FRANK A. ELLIOTT, M.D.; EVELYN  
ELLIOT, Personal Representative for  
Frank A. Elliot, MD,

Plaintiffs - Appellants,

v.

GALAL S. GOUGH, M.D.; WHITTIER  
HEALTHCARE CONSULTANTS, INC.,  
a California corporation; SAM  
MADATION; SUSAN TOGOSYN;  
HASMIK KUPELYAN; MELINE  
PETRIKIAN, d/b/a Promed Billing  
Service; SERRANO MEDICAL CLINIC,  
an unincorporated association; FARMERS  
AND MERCHANTS BANK OF LONG  
BEACH, a California corporation,

Defendants - Appellees.

No. 06-55079

D.C. No. CV-05-05762-ABC

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the Central District of California  
Audrey B. Collins, District Judge, Presiding

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent  
except as provided by 9th Cir. R. 36-3.

Argued and Submitted October 15, 2007  
Pasadena, California

Before: KOZINSKI, TASHIMA, and McKEOWN, Circuit Judges.

The panel affirms the decision of the district court for the reasons set out in its Order of December 16, 2005.

AFFIRMED.